



PATENT
Attorney Docket No. 69273-0009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of: Elliott FARBER)
Application No: 09/758,781) Art Unit: 1617
Filed: January 11, 2001) Examiner: S. Sharareh
For: Allantoin-Containing Skin Cream)

Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Sir:

In response to the Office Action mailed August 27, 2002, with the period to respond extended to October 27, 2002, Applicant makes a provisional election of species with traverse and requests reconsideration of the application in view of the following remarks.

REMARKS

Claims 1-81 are pending in the above-captioned application. The Office Action asserts that this application contains seven patentably distinct species directed to various compositions comprising a mutually exclusive emulsifying system. The Office Action requires a provisional election, under 35 U.S.C. § 121, of one of the following species:

- (a) Anionic or nonionic emulsifiers (claims 1-5, 16-22, 47-53);
- (b) Acidic anionic polymer and a polyethylene glycol ester of stearic acid (claims 6-15, 23-32);
- (c) Nonionic emulsifiers (claims 33-39);
- (d) Cetyl alcohol and stearic acid (claims 40-46);
- (e) Polyethelene glycol ethers of cetearyl alcohol ethers (claims 54-61)
- (f) Polyethylene glycol esters of stearic acid and glyceryl stearate (claims 62-70)
- (g) Carbohydrate polymers, bees wax, and an ionic emulsifier (claims 71-81)